

CCPY**DECLARATION
AND POWER OF ATTORNEY
Utility Application**LYON & LYON
DOCKET INFORMATION207/263

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for

which a patent is sought on the invention entitled SELF-APPLICABLE SELF-ASSEMBLING MICRO-ELECTRIC SYSTEMS AND DEVICES FOR MOLECULAR BIOLOGICAL ANALYSIS AND DIAGNOSTICS

Check One☐ is attached hereto.☒ was filed on July 7, 1994Application Serial No. 08/271,882

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 Code of Federal Regulations, § 1.56(1). I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application Number	Country	Date of Filing	Priority Yes <input checked="" type="checkbox"/>	Claimed No <input checked="" type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Date of Filing	Status-Patented, Pending or Abandoned
08/146,504	November 1, 1993	Pending

POWER OF ATTORNEY: As a named inventor, I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr., Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,340; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; William E. Thomson, Jr., Reg. No. 20,719; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,395; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; Bradford J. Duft, Reg. No. 32,219; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; and Kurt T. Mulville, Reg. No. 37,194; James P. Brogan, Reg. No. 35,833; Corrine M. Freeman, Reg. No. 37,625; and Joseph H. Lee, Reg. No. 37,664

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Send Correspondence to:

JN
Box 811 W. Sixth St.
Los Angeles, CA 90017Direct Telex
David B.
(213) 489-1600Re to:
ny

FOI#240-11021660

201	FULL NAME OF INVENTOR	FIRST Name Michael	Middle Initial(s) J.	LAST Name HELLER
	RESIDENCE & CITIZENSHIP	City Encinitas	State or Foreign Country California	Country of Citizenship U.S.A.
	POST OFFICE ADDRESS	Post Office Address 1614 Hawk View Drive	City Encinitas	State or Country California
202	FULL NAME OF INVENTOR	FIRST Name Eugene	Middle Initial(s) TU	LAST Name
	RESIDENCE & CITIZENSHIP	City San Diego	State or Foreign Country California	Country of Citizenship U.S.A.
	POST OFFICE ADDRESS	Post Office Address 3527 Lark Street	City San Diego	State or Country California
203	FULL NAME OF INVENTOR	FIRST Name Glen	Middle Initial(s) A.	LAST Name EVANS
	RESIDENCE & CITIZENSHIP	City Plano	State or Foreign Country Texas	Country of Citizenship U.S.A.
	POST OFFICE ADDRESS	Post Office Address 6504 Myrtle Beach Drive	City Plano	State or Country Texas
204	FULL NAME OF INVENTOR	FIRST Name Ronald	Middle Initial(s) G.	LAST Name SOSNOWSKI
	RESIDENCE & CITIZENSHIP	City Coronado	State or Foreign Country California	Country of Citizenship U.S.A.
	POST OFFICE ADDRESS	Post Office Address 1013 Adella Avenue	City Coronado	State or Country California
205	FULL NAME OF INVENTOR	FIRST Name	Middle Initial(s)	LAST Name
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
	POST OFFICE ADDRESS	Post Office Address	City	State or Country
206	FULL NAME OF INVENTOR	FIRST Name	Middle Initial(s)	LAST Name
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship
	POST OFFICE ADDRESS	Post Office Address	City	State or Country

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	<i>Michael J Heller</i>
NAME	MICHAEL J HELLER
Date	August 31, 1994
Signature of Inventor 202	<i>Eugene Tu</i>
NAME	EUGENE TU
Date	9/2/94
Signature of Inventor 203	<i>Glen A Evans</i>
NAME	GLEN A. EVANS
Date	9/6/94

Signature of Inventor 204	<i>Ronald G. Sosnowski</i>
NAME	RONALD G. SOSNOWSKI
Date	9/2/94
Signature of Inventor 205	
NAME	
Date	
Signature of Inventor 206	
NAME	
Date	

(Signatures should conform to names as presented at 201 or seq. above.)

ASSIGNMENT

WHEREAS, We, MICHAEL J. HELLER, a citizen of the United States, residing at 1614 Hawk View Drive, Encinitas, California, 92024 and EUGENE TU, a citizen of the United States, residing at 3527 Lark Street, San Diego, California, 92103, GLEN A. EVANS, a citizen of the United States, residing at 6504 Myrtle Beach Drive, Plano, Texas 75093, and RONALD G. SOSNOWSKI, a citizen of the United States, residing at 1013 Adella Avenue, Coronado, California 92118 (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled "SELF-ADDRESSABLE SELF-ASSEMBLING MICROELECTRONIC SYSTEMS AND DEVICES FOR MOLECULAR BIOLOGICAL ANALYSIS AND DIAGNOSTICS", for which application for Letters Patent of the United States of America has been filed on July 7, 1994, under Serial No. 08/271,882; and

WHEREAS, NANOGEN, a corporation organized and existing under and by virtue of the laws of the State of California and having its principal place of business at 11588 Sorrento Valley Road, Suite 16, San Diego, California, 92121, (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto

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the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto, to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent and any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

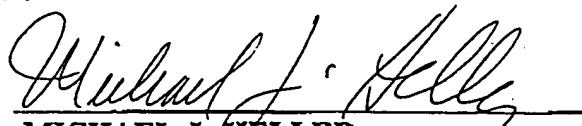
ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon request of ASSIGNEE, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or legal proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its designated legal representative any and all papers, instruments, declarations or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.


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FRANCIS B I


RECORDED
PATENT & TRADEMARK OFFICE
WITNESS my hand at _____, California, this _____ day of
_____, 1994. SEP -9 94


MICHAEL J. HELLER

WITNESS my hand at _____, California, this _____ day of
_____, 1994.


EUGENE TU

WITNESS my hand at _____, California, this _____ day of
_____, 1994.


GLEN A. EVANS

WITNESS my hand at _____, California, this _____ day of
_____, 1994.


RONALD G. SOSNOWSKI



COPY

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MAR 13 1995
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PATENTS ONLY

DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Michael J. Heller
Eugene Tu
Glen A. Evans
Ronald G. Sosnowski

Additional name(s) of conveying party(ies) attached? Yes ☒ No



2. Name and address of receiving party(ies):

Name: Nanogen

Internal Address: Suite 16

Street Address: 11588 Sorrento Valley Road

City: San Diego State: California ZIP 92121

Additional name(s) & address(es) attached? Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: September 6, 1994

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: September 6, 1994

A. Patent Application No(s).

Serial No. 08/271,882

B. Patent No(s).

Additional numbers attached? Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David B. Murphy, Esq.

Internal Address: LYON & LYON

Street Address: 611 West Sixth Street

City: Los Angeles State: California ZIP 90017

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed (included in the attached check)

☐ Authorized to be charged to deposit account

8. Deposit Account Number:

12-2475

(Attach duplicate copy of this page if paying by deposit account.)

DO NOT USE THIS SPACE

9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David B. Murphy, Reg. No. 31,125

Name of Person Signing & Reg. No.

David B. Murphy
Signature

9/9/94

Date

12 Total number of pages including cover sheet, attachments, and documents:

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

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